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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. **2010-427**

13 **ELIZABETH DIANNE LA FONTAINE,**
14 **AKA ELIZABETH DIANNE**
15 **CONTRERAS, ELIZABETH DIANNE**
16 **STOWERS, ELIZABETH DIANNE**
17 **STOWERS LA FONTAINE,**
18 **4438 San Bernardino Street**
19 **Montclair, CA 91763**
20 **Registered Nurse License No. 370067**

A C C U S A T I O N

Respondent.

21 Complainant alleges:

PARTIES

22 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
23 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department
24 of Consumer Affairs.

25 2. On or about March 31, 1984, the Board of Registered Nursing (Board) issued
26 Registered Nurse License Number 370067 to Elizabeth Dianne Stowers, who is now known as
27 Elizabeth Dianne La Fontaine, aka Elizabeth Dianne Contreras, aka Elizabeth Dianne Stowers La
28 Fontaine (Respondent). The Registered Nurse License was in full force and effect at all times
relevant to the charges brought herein and will expire on April 30, 2010, unless renewed.

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1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case.

3 FIRST CAUSE FOR DISCIPLINE

4 (Unprofessional Conduct)

5 9. Respondent is subject to disciplinary action under section 2761, subdivision (a)(1), on
6 the grounds of unprofessional conduct in that she drank an alcoholic beverage and became
7 intoxicated during business hours while she was employed as a case manager for a medical group.
8 The circumstances are as follows:

9 a. Respondent was employed by Regal Medical Group (Regal) as a High Risk Case
10 Manager from on or about November 14, 2006 to on or about April 17, 2009. Her responsibilities
11 included assessing medical cases and developing plans and goals for patient care. Respondent
12 conducted telephonic consultations with patients concerning their medical care.

13 b. On or about April 16, 2009, Respondent was working from home (telecommuting).
14 At or around 1:30 p.m., she accessed a teleconference so that she could participate in a medical
15 management meeting with her coworkers, including several doctors and nurses.

16 c. Toward the end of the teleconference, Respondent made statements which caused her
17 coworkers to become concerned about her well-being. They observed that Respondent sounded
18 confused and giddy and was slurring her words.

19 d. After the teleconference ended, several members of Regal's management followed up
20 with Respondent over the phone to determine if she was having a medical issue. They instructed
21 Respondent to go to a Regal urgent care center, and arranged for a cab to take her there.

22 e. The doctor who treated Respondent at the Regal urgent care center observed that
23 Respondent smelled like alcohol and her gait was unsteady. Respondent consented to a
24 breathalyzer test, which measured her blood alcohol level at 0.148 percent.

25 f. According to Respondent's account of the April 16, 2009 incident, she opened a full
26 bottle of champagne and began drinking it about 20 minutes before she accessed the
27 teleconference. She continued drinking, and finished the remainder of the bottle of champagne

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1 after Regal management instructed her to go to the urgent care center for medical evaluation.
2 Respondent admitted that she was intoxicated.

3 SECOND CAUSE FOR DISCIPLINE

4 (Dangerous or Injurious Use of Alcoholic Beverages)

5 10. Respondent is subject to disciplinary action under section 2762, subdivision (b), in
6 that Respondent used alcoholic beverages to an extent or in a manner dangerous or injurious to
7 herself, any other person, or the public or to the extent that such use impaired her ability to
8 conduct with safety to the public the practice authorized by her license. Respondent drank an
9 alcoholic beverage and became intoxicated during business hours while working as a High Risk
10 Case Manager for Regal. Respondent's job duties included telephonic consultations with patients
11 concerning their medical care. Complainant refers to and incorporates all the allegations set forth
12 in paragraphs 9.a through 9.f, inclusive, as though set forth fully.

13 DISCIPLINARY CONSIDERATIONS

14 11. To determine the degree of discipline, if any, to be imposed on Respondent,
15 Complainant alleges that on or about August 18, 1998, the Board filed an Accusation against
16 Respondent in Case Number 99-24, alleging that Respondent's ability to practice her profession
17 safely was impaired because Respondent was mentally ill or physically ill affecting competency,
18 within the meaning of section 822. Accusation Number 99-24 alleged that Respondent was an
19 alcohol abuser, who had struggled with major depression. Respondent and the Board entered into
20 a stipulation in which Respondent admitted the truth of each and every allegation in Accusation
21 Number 99-24, and was placed on probation for a period of three years with specific terms and
22 conditions, including participation in a rehabilitation program for chemical dependence,
23 abstention from alcohol and random testing. The Board adopted the stipulation as its decision,
24 effective September 24, 2000. That decision is now final, and is incorporated by reference as if
25 set forth fully.

26 12. On or about September 17, 2003, the Board filed a Petition to Revoke Probation
27 against Respondent in Case No. 99-24, alleging that Respondent failed to engage in the practice
28 of professional nursing in California for a minimum of 24 hours per week, for six consecutive

1 months, as required by the terms and conditions of the probation program. Respondent and the
2 Board entered into a stipulation in which Respondent admitted the truth of each and every
3 allegation in Petition to Revoke Probation Number 99-24, and was placed on probation for one
4 year with specific terms and conditions, including participation in a treatment or rehabilitation
5 program for chemical dependence, abstention from alcohol and random testing. The Board
6 adopted the stipulation as its decision, effective July 10, 2004. That decision is now final and is
7 incorporated by reference as if set forth fully.

8 PRAYER

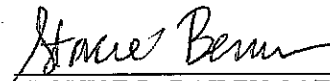
9 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
10 and that following the hearing, the Board issue a decision:

11 1. Revoking or suspending Registered Nurse License Number 370067 issued to
12 Respondent.

13 2. Ordering Respondent to pay the Board the reasonable costs of the investigation and
14 enforcement of this case, pursuant to Business and Professions Code section 125.3; and

15 3. Taking such other and further action as deemed necessary and proper.

16
17 DATED: 3/15/10

for 
18 LOUISE R. BAILEY, M.ED., RN
19 Interim Executive Officer
20 Board of Registered Nursing
21 Department of Consumer Affairs
22 State of California
23 Complainant
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